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BAKER BOTTS L.L.P.			LEE, PHILIP C	
PATENT DEPARTMENT 98 SAN JACINTO BLVD., SUITE 1500 AUSTIN, TX 78701-4039			ART UNIT	PAPER NUMBER
			2154	
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Please find below and/or attached an Office communication concerning this application or proceeding.

j	Application No.	Applicant(s)			
Office Action Summan	09/853,366	DEFOSSE ET AL.			
Office Action Summary	Examiner	Art Unit			
	Philip C. Lee	2154			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
Status					
1) Responsive to communication(s) filed on 31 Ja	nuary 2005.				
,					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims					
4) Claim(s) 1-15 and 18-30 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-15 and 18-30 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.					
Application Papers					
9) The specification is objected to by the Examiner.					
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 1/31/05.	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:				

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- 1. This action is responsive to the amendment and remarks filed on January 31 2005.
- 2. Claims 1-15 and 18-30 are presented for examination and claims 16-17 are cancelled.
- 3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections - 35 USC 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
- 5. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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- 6. Claims 21, 24, 27-28 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Howell et al, U.S. Patent 6,462,644 (hereinafter Howell).
- 7. Howell was cited in the last office action.
- 8. As per claims 21 and 28, Howell taught the invention as claimed for communicating information between a network operations center and a remote device (fig. 2; col. 4, lines 11-25) comprising:

selecting records from a data block communicatively coupled to device (col. 7, lines 51-56; col. 8, lines 37-45);

restructuring the selected records at the remote device according to a template (col. 7, 45-53; col. 8, lines 14-24);

calculating a delta between the restructured records and a stored set of records (col. 8, lines 5-8), and

transmitting the delta to the network operations center (col. 7, lines 51-56; col. 8, lines 37-45).

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9. As per claim 24, Howell taught the invention as claimed in claim 21 above. Howell further taught writing the delta to a device response (col. 8, lines 5-18; col. 9, lines 37-50).

- 10. As per claim 27, Howell taught the invention as claimed in claim 21 above. Howell further taught wherein selecting records comprises selecting the records from a DEX/UCS data block (col.4, lines 34-38; col. 7, lines 47-49).
- 11. As per claim 30, Howell taught the invention as claimed in claim 28 above. Howell further taught comprising the remote device operable to calculate delta in response to a predetermined event (col. 7, lines 64-col. 8, lines 13).

Claim Rejections - 35 USC 103

- 12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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13. Claims 22-23 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howell.

- 14. As per claims 22 and 29, Howell taught the invention as claimed in claims 21 and 28 above. Although Howell taught applying a data compression algorithm to files (col. 9, lines 14-17), he did not specifically detail the use of data compression to the calculated delta. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to apply a compression algorithm to the calculated delta because by doing so would increase the efficiency of Howell's system by reducing the amount of data for transmission through the network.
- As per claim 23, although Howell taught sorting the delta by the data warehouse (col. 8, lines 14-24), he did not teach sorting the delta by the remote device. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Howell's teaching to include sorting the delta by the remote device because by doing so would load balance the task of sorting from the network operations center to individual remote devices.
- 16. Claims 1-15, 18-20 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howell in view of Ciccone, Jr. et al, U.S. Patent 6,338,149 (hereinafter Ciccone).
- 17. Ciccone was cited in the last office action.

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18. As per claims 1 and 20, Howell taught the invention substantially as claimed for communicating information between a network operations center and a remote device comprising:

receiving the at least one request by the remote device (col. 7, lines 45-47; col. 8, lines 38-39);

selecting records from a data block at the remote device based upon the at least one request (col. 7, lines 51-56, col. 8, lines 37-45);

restructuring, at the remote device, the selected records according to a template (col. 7,

lines 45-53; col. 8, lines 14-24); and

transmitting the restructured records to the network operations center (col. 7, lines 51-56; col. 8, lines 37-45).

- 19. Howell did not teach transmitting a request from the network operations center. Ciccone taught transmitting at least one request for information from the network operations center to the remote device (col. 8, lines 58-60; col. 10, lines 12-13; col. 11, lines 29-32; col. 12, lines 23-26).
- 20. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Howell and Ciccone because Ciccone's method of transmitting a request from a network operations center to a remote device would increase the efficiency of Howell's system by allowing a user to operate a device at a remote location via the network.

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21. As per claim 12, Howell taught the invention substantially as claimed for communicating data between a network operations center and a remote device comprising:

receiving the at least one request for data by the at least one remote device (col. 7, lines

45-47; col. 8, lines 38-39); establishing a current state for the at least one remote device (col. 10, lines 8-20); accessing a previous state for the at least one remote device (col. 10, lines 8-20); calculating a delta between the current state and the previous state for the at least one remote device by selecting records from a data block at the remote device indicative of the current state of the remote device (col. 8, lines 5-55; col. 7, lines 51-56); restructuring the selected records based upon a template to establish the current state of the remote device (col. 7, lines 45-53; col. 8, lines 2-24); writing the delta to a device response (col. 8, lines 5-24; col. 9, lines 37-51); and transmitting the device response to the network operations center (col. 7, lines 51-56; col. 8, lines 37-45).

- 22. Howell did not teach transmitting a request from the network operations center. Ciccone taught transmitting at least one request for information from the network operations center to the remote device (col. 8, lines 58-60; col. 10, lines 12-13; col. 11, lines 29-32; col. 12, lines 23-26).
- 23. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Howell and Ciccone because Ciccone's method of transmitting a request from a network operations center to a remote device would increase the

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efficiency of Howell's system by allowing a user to operate a device at a remote location via the network.

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- 24. As per claim 2, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Howell further taught comprising calculating a delta between the restructured records and a stored set of restructured records (col. 8, lines 5-8).
- 25. As per claim 3, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Howell further taught comprising storing the restructured records by the remote device (col. 10, lines 8-14).
- As per claim 4, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Howell further taught comprising evaluating at least one characteristic of the at least one request for information to determine the type of information being requested (col.8, lines 37-45).
- As per claim 5, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Howell further taught comprising writing the restructured records to a device response (col. 8, lines 5-18; col. 9, lines 37-50).
- 28. As per claims 6, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Ciccone further taught comprising:

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updating at least one value stored in a database using the restructured records (col. 4, lines 4-10).

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- 29. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Howell and Ciccone because Ciccone's method of updating at least one value using the restructured records would increase the user's alertness in Howell's system by providing updated status of the remote device in the database.
- 30. As per claims 7, 14 and 25, Howell and Ciccone taught the invention substantially as claimed in claims 6 and 12 above. Ciccone further taught comprising combining the restructured records received by the network operations center with at least one value stored in the database (col. 3, lines 49-col. 4, lines 10).
- 31. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Howell and Ciccone for the same reason set forth in claim 6 above.
- 32. As per claims 8, 19 and 26, Howell and Ciccone taught the invention substantially as claimed in claims 1 and 12 above. Ciccone further taught comprising:

transmitting at least one check value (col. 7, lines 4-14); and comparing at least one check value with at least one stored value (col. 4, lines 4-10; col. 12, lines 50-54).

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33. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Howell and Ciccone for the same reason set forth in claim 1 above.

- 34. As per claim 9, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Howell further taught wherein selecting records comprises selecting the records from a DEX/UCS data block (col.4, lines 34-38; col. 7, lines 47-49).
- As per claim 10, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Howell further taught wherein transmitting is supported by a wireless network (fig. 2. col. 4, lines 51-63).
- 36. As per claim 11, Howell and Ciccone taught the invention substantially as claimed in claim 1 above. Howell further taught wherein transmitting is supported by a wire-line network (fig. 2. col. 4, lines 51-63).
- 37. As per claim 13, Howell and Ciccone taught the invention substantially as claimed in claim 12 above. Howell further taught recreating the current state of the remote device at the network operations center (col. 8, lines 14-24).

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38. As per claim 15, Howell and Ciccone taught the invention substantially as claimed in claim 12 above. Howell further taught comprising:

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storing the current state of the remote device as the previous state of the remote device (col: 7, lines 53-col. 4, lines 13); and

storing the previous state of the remote device as a reference state for the remote device (col. 7, lines 53-col. 4, lines 13).

- 39. As per claim 18, Howell and Ciccone taught the invention substantially as claimed in claims 12 above. Howell and Ciccone did not specifically detail the use of data compression to the calculated delta. However, Howell taught applying a data compression algorithm to files (col. 9, lines 14-17). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to apply a compression algorithm to the calculated delta because by doing so would increase the efficiency of Howell's and Ciccone's systems by reducing the amount of data for transmission through the network.
- 40. Applicant's arguments with respect to claims 1-15 and 18-30, filed 01/31/05, have been fully considered but are not deemed to be persuasive.
- 41. Because Applicants have failed to challenge any of the Examiner's "Official Notices" on claims 22-23 and 29 stated in the previous office action in a proper and reasonably manner, they are now considered as admitted prior art. See MPEP 2144.03

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42. In the remark applicant argued that

(1) Howell fails to teach a template, much less a template used to restructure

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records at the remote device.

(2) Howell fails to teach calculate a delta between restructured records and a

stored set of records.

(3) Howell did not teach establishing a current state for a remote device by

selecting records indicative of the current state of the remote device.

43. In response to point (1), Howell taught the vendor interface unit (VIU) (fig. 3) (i.e., at the

remote device) retrieves a DEX file (504) (i.e., a file containing set of records) and adds

information to the file that identifies the machine. This means the process of adding information

identifying the machine is the template for restructuring the DEX file (504) (i.e., records) (col. 7,

lines 45-53)

44. In response to point (2), Howell taught calculating a delta between the DEX_L file (510)

(i.e., stored set of records) and the DEX_R file (504) (i.e., the restructured records) and saving any

record therein that contains a field that has changed (col. 8, lines 5-8) (Note that a DEX file may

be a set of records with changing fields).

45. In response to point (3), Howell taught calculating a DEX_D file based on selecting only

records with changed fields and transmitting the DEX_D file to the data warehouse. The DEX_D

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file is used for establishing a recent settlement file, which reflects that the remote device (i.e., vending machine) has been fully restocked the product and currency inventories (i.e., current state) in the remote device (i.e., vending machine) (col. 8, lines 33-55) (i.e., the selected records of the DEX_D file is an indication of the current state of the remote device)

46. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications form the examiner should be directed to Philip Lee whose telephone number is (571) 272-3697. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee

ZAHRII WAZONGI EXAMINE